THE HON'BLE SRI JUSTICE L.NARASIMHA REDDY

WRIT PETITION No.2517 of 2007

Date: 12.02.2007

Between:
Shaik Yaqoob Pasha.

....Petitioner

And

The Government of Andhra Pradesh rep. By its Principal Secretary Department of Minority Welfare, Secretariat Buildings, Hyderabad and others.

....Respondents

THE HON'BLE SRI JUSTICE L.NARASIMHA REDDY

WRIT PETITION No.2517 of 2007

O R D E R:

The A.P.Wakf Board, second respondent herein, constituted a building construction committee with respondents 3 to 6, for construction of shopping complex at Jamia Masjid, Kottagudam Town, Khammam District, through proceedings dated 19.10.2006. The petitioner made a representation, dated 29.12.2006, to the second respondent, stating *inter alia* that respondents 3 to 6 were the members of managing committee of the same Wakf on a previous occasion and on finding that they have misappropriated the funds of the Wakf, they have been removed from the Office. He contends that constituting the committee with the same persons is not at all in the interests of the Wakf and on the other hand, it would be detrimental. The grievance of the petitioner is that the second respondent has not taken any steps so far, on his representation.

Heard the learned counsel for the petitioner and the learned Standing Counsel for the second respondent.

The petitioner alleges that respondents 3 to 6

have resorted to irregularities, when they functioned as members of the managing committee of the Wakf on a previous occasion. The truth or otherwise of the said allegation cannot be decided by this Court. When the petitioner had made a representation, as regards the desirability of respondents 3 to 6 being appointed as members of the construction committee, the second respondent is under obligation to examine the same and before any action is taken, it must hear respondents 3 to 6.

For the foregoing reasons, the Writ Petition is disposed of, directing the second respondent to consider and pass appropriate orders on the representation, dated 29.12.2006, made by the petitioner, within eight (8) weeks from the date of receipt of a copy of this order, duly following the prescribed procedure and giving an opportunity to the affected persons. There shall be no order as to costs.

12.02.2007

JSU